

### **Amendments to the Claims:**

The listing of claims will replace all prior versions, and listings, of claims in the application:

### **Listing of Claims:**

1. (currently amended) A system for controlling brakes of a commercial vehicle, comprising:

at least one of an adaptive distance regulation and driving speed device which modulates an urgency signal based upon a hazard variable;

an electronically controlled brake system designed to distribute a desired amount of braking force to a friction brake system and ~~a~~ an additional active retarding brake; and

wherein the electronically controlled brake system distributes the desired amount of braking force to the friction brake system and the retarding brake based upon the urgency signal.

2. (original) The system according to claim 1, wherein the hazard variable is at least one of a relative speed and distance to a vehicle traveling in front of the commercial vehicle.

3. (original) The system according to claim 1, wherein a value range of between 0% indicating no urgency and 100% indicating a greatest urgency is provided for the urgency signal.

4. (original) The system according to claim 2, wherein a value range of between 0% indicating no urgency and 100% indicating a greatest urgency is provided for the urgency signal.

5. (original) The system according to claim 3, wherein the electronically controlled brake system includes a control device such that at high urgency values the desired amount of braking force is distributed to the friction brake system and the retarding brake in order to achieve a fastest possible application of the brakes, while at low urgency values the retarding brake is maximally utilized in order to reduce wear and tear on the friction brake system.

6. (original) The system according to claim 4, wherein the electronically controlled brake system includes a control device such that at high urgency values the desired amount of braking force is distributed to the friction brake system and the retarding brake in order to achieve a fastest possible application of the brakes, while at low urgency values the retarding brake is maximally utilized in order to reduce wear and tear on the friction brake system.

7. (original) The system according to claim 5, wherein a CAN data bus transmits the urgency signal from a further control device in said at least one adaptive distance regulation and driving speed device to the electronically controlled brake system control device.

8. (original) The system according to claim 6, wherein a CAN data bus transmits the urgency signal from a further control device in said at least one adaptive distance regulation and driving speed device to the electronically controlled brake system control device.

9. (currently amended) A method for controlling brakes of a commercial vehicle, the method comprising the acts of:

modulating an urgency signal based upon a hazard variable via at least one of an adaptive distance regulation and driving speed device;

distributing a desired amount of braking force to a friction brake system and ~~a~~ an additional active retarding brake as a function of the urgency signal using an electronically control brake system.

10. (original) The method according to claim 9, wherein the urgency signal has a value of 0% that indicates no urgency and 100% that indicates a greatest urgency.

11. (original) The method according to claim 9, wherein the act of distributing the desired amount of braking force further comprises the act of distributing at high urgency values the desired amount of braking force to the friction brake system and the retarding brake in order to achieve a fastest possible application of the brakes, while at low urgency values the distribution

maximally utilizes the retarding brake in order to reduce wear and tear on the friction brake system.